

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 19, 2010, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 2:00 P.M. BY THE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE Sgt RYAN JONES OF THE UNITED STATES MARINE CORPS TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**LET THE RECORD SHOW:** The Board of County Commissioners presented Sgt Ryan Jones of the United States Marine Corps, who has returned home from his tour of duty in the Philippines, with a Certificate of Appreciation honoring him for his courageous commitment to our country while supporting Operation Enduring Freedom Philippines. The Board commended his bravery and dedication to the cause of freedom. Sgt Jones was also presented with a medallion challenge coin from Danny Bare, Director of the Clermont County Veterans' Service Commission, a Certificate of Recognition and a medallion challenge coin from Commissioner Croswell, on behalf of Sheriff Albert J. Rodenberg, and a Congressional Proclamation from Gertrud Whitaker, on behalf of Congresswoman Jean Schmidt, honoring him for his service to our country and welcoming him home.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 72-10/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 72-10** resolving to approve payment to vendors **in the revised total amount of \$2,285,221.24** as set forth in the General Ledger Distribution Report(s), Vendor Invoice List Report(s) and/or Procurement Card Transaction Report presented by the County Auditor **05/17/2010**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR SERVICES WITH BRACKETT LAWN MAINTENANCE FOR LAWN CARE AND MOWING SERVICES AT THE CLERMONT CENTER DRIVE AND VILLAGE OF BATAVIA CAMPUSES DURING CALENDAR YEAR 2010...10-0504-002...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Services by and between the Board of County Commissioners, Clermont County, Ohio, and Brackett Lawn Maintenance, 5824 Murray Road, Hillsboro, Ohio 45133 for Lawn Care and Mowing Services at the Clermont Center Drive and Village of Batavia Campuses in accordance with the Scope of Services as identified in Exhibit A, attached thereto and made a part thereof, in an amount not to exceed \$14,848.00, with said services to be completed within 365 consecutive calendar days upon company's receipt of signed

contract and written Notice to Proceed from the Facilities Management Department, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Yea.

**IN RE:            CLERMONT TRANSPORTATION CONNECTION...2010 UNIFIED CARRIER REGISTRATION WITH THE PUBLIC UTILITIES COMMISSION OF OHIO RELATIVE TO THE OPERATION OF INTERSTATE TRANSPORTATION SERVICES FOR SAME...10-0511-001...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ben Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute the 2010 Unified Carrier Registration with the Public Utilities Commission of Ohio, Motor Carrier Registration, 4<sup>th</sup> Floor, 180 East Broad Street, Columbus, Ohio 43215-3793, relative to the operation of interstate transportation services, in the amount of \$1,576.00, for Calendar Year 2010, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye;   Mr. Croswell, Yes;   Mr. Proud, Yea.

**IN RE:            CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RELEASE OF A MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF A SANITARY SEWER MAIN EXTENSION AND ACCEPTANCE OF SAME INTO THE COUNTY SEWER SYSTEM...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to authorize the release of a Maintenance Bond which provided surety for the installation of a sanitary sewer main extension to serve the following location in Batavia Township and to accept said sanitary sewer main extension into the County Sewer System pursuant to the Clermont County Water Resources Department Rules and Regulations:

Location	Township	Sewer Bond
Kings Kars, Inc. 3329 State Route 222 DC# 09-0603-002	Batavia	\$1,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Yea.

**IN RE:            CLERMONT COUNTY WATER RESOURCES DEPARTMENT/ STORMWATER MANAGEMENT DIVISION...MEMORANDUM OF UNDERSTANDING WITH CLERMONT SOIL AND WATER CONSERVATION DISTRICT RELATIVE TO THE STORMWATER**

**PUBLIC EDUCATION AND STORM SEWER INVENTORY PROGRAMS  
IN CLERMONT COUNTY...10-0513-003...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of John McManus, Program Manager, Stormwater Management Division, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to execute a Memorandum of Understanding by and between the Board of Clermont County Commissioners and Clermont Soil and Water Conservation District, 1000 Locust Street, Owensville, Ohio 45160 for the provision of consulting services as it relates to stormwater public education programs and the inventory and assessment of the stormwater conveyance systems in Clermont County, as outlined therein, for a total sum not to exceed \$8,700.00, including all charges and expenses therefore, effective for one (1) year upon execution thereof, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
ACCEPTANCE OF THE GENERAL CONTRACT (CONTRACT  
NUMBER 651-08411) WITH SMITH & BROWN CONTRACTORS, INC.,  
FOR PROJECT NUMBER 651-0841 RELATIVE TO THE  
BRAMBLEWOOD TRUNK LINE PROJECT LOCATED WITHIN  
MIAMI TOWNSHIP AS COMPLETE AND APPROVAL OF THE  
ESTIMATE FOR PARTIAL PAYMENT NUMBER 14, FINAL, FOR  
RELEASE OF RETAINAGE RELATIVE THERETO...08-0509-  
002...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to accept the General Contract (Contract Number 651-08411) by and between the County of Clermont, Ohio, and Smith & Brown Contractors, Inc., 9570 State Route 128, Harrison, Ohio 45030 for Project Number 651-0841 relative to the Bramblewood Trunk Line Project located within Miami Township as Complete as of September 30, 2009, and to approve the Estimate for Partial Payment Number 14, Final, which represents a release of retainage in the principal amount of \$90,717.00, plus all accrued interest earned thereon relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: OFFICE OF ECONOMIC DEVELOPMENT...FIRST AMENDMENT TO  
THE GRANT AGREEMENT WITH THE STATE OF OHIO,  
DEPARTMENT OF DEVELOPMENT FOR FINANCIAL ASSISTANCE  
THROUGH THE ROADWORK DEVELOPMENT (629) GRANT FUND  
RELATIVE TO IMPROVEMENTS TO US HIGHWAY 50 BETWEEN  
ROUNDBOTTOM ROAD AND WOLFPEN PLEASANT HILL ROAD  
LOCATED WITHIN MIAMI TOWNSHIP, IN CONSIDERATION OF THE  
INVESTMENT TO BE MADE BY PENN STATION INC. FOR THE  
EXPANSION AND RETENTION OF ECONOMIC DEVELOPMENT, AS  
WELL AS, THE CREATION OF EMPLOYMENT OPPORTUNITIES IN  
MIAMI TOWNSHIP, CLERMONT COUNTY, OHIO...08-0820-**

002...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute the First Amendment to the Grant Agreement (ODOD Grant Control Number ECDD 09-046) by and between the County of Clermont, Ohio, and the State of Ohio, Department of Development (ODOD), P. O. Box 1001, 77 South High Street, Columbus, Ohio 43216-1001, previously ratified by the Board of County Commissioners on 02/11/09, in concert with the Grant Application for Roadwork Development (629) Grant Funding ratified by the Board of County Commissioners on 08/27/08, relative to improvements to US Highway 50 between Roundbottom Road and Wolfpen Pleasant Hill Road, in consideration of the investment to be made by Penn Station, Inc. to retain fourteen (14) full-time employees, create six (6) new full-time positions, and invest approximately \$1,200,000.00 at a proposed location in Miami Township, Clermont County, Ohio, *which extends the Project Completion Date identified in Section 6 thereof from April 20, 2010 to October 20, 2010* pursuant to the Letter of Request therefore ratified by the Board of County Commissioners on 01/27/10, with all other terms, covenants and conditions contained in the afore stated agreement to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye;   Mr. Croswell, Yes;   Mr. Proud, Yea.

**IN RE:            COUNTY   ENGINEER...WOODLAND   STREAMS   SUBDIVISION/  
SECTION 1/BLOCK B/GOSHEN TOWNSHIP...RELEASE OF A  
COMBINED   PERFORMANCE-MAINTENANCE   BOND   AND  
ACCEPTANCE OF STREETS INTO THE GOSHEN TOWNSHIP PUBLIC  
ROAD SYSTEM...04-1108-004...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond, previously converted to the Maintenance Bond Phase, for the following subdivision within Goshen Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Goshen Township Public Road System:

Subdivision	Maintenance Bond	Streets/Length (miles)
Woodland Streams Subdivision Section 1/Block B Goshen Township	\$10,000.00	Hall Court (0.03) Amanda Court (0.04) Marsh Circle (0.15)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Yea.

**IN RE:            COUNTY   ENGINEER...SUSIE   PRIBBLE   SUBDIVISION/  
WILLIAMSBURG TOWNSHIP...RECORD PLAT NUMBER 629-2669  
FOR THE REPLAT OF LOT NUMBERS 30 AND 31 WITHIN  
SAME...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2669** for the Replat of Lots in the following Subdivision within Williamsburg Township:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lot Numbers 30 & 31 Susie Pribble Subdivision Williamsburg Township DC# 10-0427-003	<b>629-2669</b>	To combine old Lot Numbers 30 and 31 to create new Lot Number 40

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye;   Mr. Croswell, Yes;   Mr. Proud, Yea.

**IN RE:            COUNTY ENGINEER...NORTH INDIANVIEW SUBDIVISION/SECTION TWO/MIAMI TOWNSHIP...RECORD PLAT NUMBER 629-2670 FOR THE REPLAT OF LOT NUMBERS 36 AND 37 WITHIN SAME...10-0513-002...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2670** for the Replat of Lots in the following Subdivision within Miami Township:

Subdivision	Record Plat Number	Reason for Replat
North Indianview Subdivision Section Two Replat of Lot Numbers 36 and 37 Miami Township	<b>629-2670</b>	To combine old Lot Numbers 36 and 37 to create new Lot Number 55

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Yea.

**IN RE:            COUNTY ENGINEER...RECORD PLAT NUMBER 629-2671 FOR THE DEDICATION OF 1.412 ACRES OF IVY POINTE BOULEVARD LOCATED IN UNION TOWNSHIP...10-0513-001...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2671** for the Dedication of 1.412 Acres of Ivy Pointe Boulevard located within Union Township.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye;   Mr. Croswell, Yes;   Mr. Proud, Yea.

**IN RE:            COUNTY ENGINEER...RESOLUTION NUMBER 73-10/RESOLUTION AUTHORIZING ACQUISITION BY CONTRACT IN LIEU OF APPROPRIATION LITIGATION FOR REAL PROPERTY OWNED BY GARY E. PROCTOR AND MARILYN PROCTOR IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA**

**OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT  
LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0219-  
003...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt **Resolution Number 73-10** authorizing the purchase of real property owned by Gary E. Proctor and Marilyn Proctor, whose mailing address is 3870 Bach Buxton Road, Amelia, Ohio 45102 for portions of Parcel Numbers 29-01-09A-001. and 29-01-09A-003. located on Main Street in the Village of Amelia, Pierce Township, which is necessary for Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; consenting to the preparation of an Agreed Entry for Dismissal relative to Appropriation Case Number 2009CVH0517 as authorized in Resolution Number 27-09 adopted by the Board of County Commissioners on 02/25/09; acknowledging the value of land at \$28,000.00 of which \$13,313.00 has been deposited with the Clermont County Common Pleas Clerk of Courts; authorizing the issuance of payment of the remaining balance of \$14,687.00; and authorizing execution of the Settlement Agreement relative thereto, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY JUVENILE COURT...OHIO DEPARTMENT OF  
YOUTH SERVICES JUVENILE COURT FUNDING APPLICATION  
UPDATE RELATIVE TO THE GRANT AGREEMENT AND FUNDING  
APPLICATION FOR THE RECLAIM OHIO (401) GRANT SUBSIDY  
AND THE YOUTH SERVICES (510) GRANT SUBSIDY PROGRAMS  
FOR FISCAL YEARS 2009-2011 FOR SAME...09-0521-004...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute an Ohio Department of Youth Services Juvenile Court Funding Application Update in and as it relates to the Ohio Department of Youth Services Juvenile Court Grant Agreement and Funding Application heretofore ratified by the Board of County Commissioners on 05/27/09 and subsequently amended on 01/06/10, for the Reclaim Ohio (401) Grant Subsidy Program and the Youth Services (510) Grant Subsidy Program in the amounts of \$1,068,688.57 and \$254,257.00, respectively, which represent the base and variable allocations for Fiscal Year 2011 (07/01/10-06/30/11), for the biennial period commencing 07/01/09 and ending 06/30/11, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...LETTER OF SUPPORT FOR  
THE INCLUSION OF LEGISLATIVE LANGUAGE IN THE UPCOMING  
SURFACE TRANSPORTATION REAUTHORIZATION BILL THAT  
WILL RE-ALLOW THE USE OF TOLL CREDITS FOR APPALACHIAN  
DEVELOPMENT HIGHWAY SYSTEM (ADHS) PROJECTS...10-0518-**

001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, for the Board of County Commissioners, Clermont County, Ohio, to execute a letter of support to the House Committee on Transportation and Infrastructure, 2156 Rayburn House Office Building, Washington, DC 20515, and the Senate Committee on Environment & Public Works, 410 Dirksen Senate Office Building, Washington, DC 20510, dated 05/19/10, relative to inclusion of legislative language in the upcoming Surface Transportation Reauthorization Bill that will re-allow the use of toll credits for Appalachian Development Highway System (ADHS) projects, with said toll credits to be utilized as ADHS non-federal matching funds which will enable important ADHS projects to move forward and generate economic development in the region.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;     Mr. Humphrey, Aye;     Mr. Proud, Yea.

IN RE:            **BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2010...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2010 (Resolution Number 211-09) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

CASH TRANSFER OF FUNDS:

AMOUNT	FROM	TO
\$        8,700.00	General Fund 1000-01-01-032329-700200	Soil & Water Conservation District Fund 7500-00-00-007500-480100

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye;     Mr. Croswell, Yes;     Mr. Proud, Yea.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Work Sessions of **04/12/10 and 05/12/10** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** That a motion by Mr. Humphrey, seconded by Mr. Croswell, to approve the minutes of Regular Session of **05/19/10** carried with all members present voting affirmatively thereon.

IN RE:            **ADJOURNMENT...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:33 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Yea.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT  
EDWIN H. HUMPHREY, VICE PRESIDENT  
R. SCOTT CROSWELL III, MEMBER**

**JUDITH KOCICA, CLERK OF THE BOARD**

**DATE APPROVED - 05/19/10**